

REMARKS

Claim Rejections

Claims 1 and 2 were rejected under 35 USC §102, as being anticipated by Moller (WO 01/10540 A2)("Moller"). To the extent the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

Moller teaches a filtration system with a permeable membrane, which filters a fluid by applying a forward pressure differential from the retentate to the permeate for driving fluid through the membrane in a filtering direction. Moller also teaches periodically backwashing the membrane by applying a backwards pressure differential from the permeate to the retentate to clean the membrane. (Moller, Page 1, Lines 2-10).

Moller also teaches a flow resistance means for the permeate which can be used while applying a backwards pressure differential during the backwashing phase to reduce the backwards flow of permeate. (Moller, Page 6, Lines 9-14).

Applicants' independent claim 1, like Moller, is directed to a filtration system with a permeable membrane, which filters a fluid by applying a forward pressure differential from the retentate to the permeate for driving fluid through the membrane in a filtering direction. Applicants' independent claim 1 also includes stopping the removal of the permeate during selected time intervals, so that the forward pressure differential from the retentate to the permeate is temporarily substantially lowered, but always maintained at a level of zero or greater in order to prevent backwashing.

Applicants taught against the use of a backwashing operation in the U.S. Patent Application Publication Paragraphs 10 and 11, as taught by Moller. Applicants have developed a simpler process to maximize forward fluid flow from the retentate to the permeate without the use of backwashing.

Applicants respectfully submit that Moller does not teach or suggest the desirability of stopping the removal of the permeate during selected time intervals, so that the forward pressure differential from the retentate to the permeate is temporarily substantially lowered, while maintaining the pressure difference at zero or greater, as taught by Applicants' independent claim 1.

Applicants respectfully submit that Claim 2 is dependent upon allowable independent Claim 1, and allowable for at least the same reasons. Applicants request that the Examiner withdraw the rejection to Claims 1 and 2.

Claims 1-16 were rejected under 35 USC §103(a), as being unpatentable over Cederlof (WO 03/035803)(“Cederlof”) in view of Moller, or vice versa. To the extent the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

Applicants respectfully submit that Cederlof does not qualify as prior art pursuant to 35 USC §103(c)(1), as both Cederlof and the present application have been assigned to “Shell Oil Company,” and Cederlof is only prior art under 35 USC §102 (e), (f), or (g).

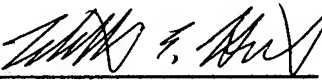
Applicants request that the Examiner withdraw the rejection to Claims 1-16.

Conclusion

It is respectfully submitted that the above amendments and remarks are sufficient to overcome the Examiner’s objections and rejections. Early allowance of this application is therefore respectfully requested.

Respectfully submitted,

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